

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

AEROTEL, LTD., et al.

Plaintiffs,

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

AT&T, INC., et al.

Defendants.

07 CV 3217

TO: (Name and address of defendant)

SEE ATTACHED RIDER

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Robert C. Morgan
Jeanne C. Curtis
ROPES & GRAY LLP
1211 Avenue of the Americas
New York, NY 10036-8704

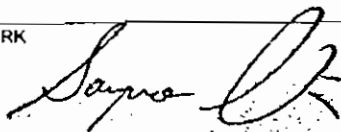
Glenn F. Ostrager
Dennis M. Flaherty
OSTRAGER CHONG FLAHERTY
& BROITMAN P.C.
570 Lexington Avenue
New York, NY 10022-6894

an answer to the complaint which is herewith served upon you, within TWENTY (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 20 2007

CLERK



DATE

(BY) DEPUTY CLERK

Aerotel, Ltd., *et al.* v. AT&T, Inc. *et al.*
U.S. District Court for the Southern District of New York

RIDER TO SUMMONS IN A CIVIL CASE

AT&T Inc.
175 E. Houston
San Antonio, Texas 78205-2233

John Doe 1
address unknown

AT&T Corp.
One AT&T Way
Bedminster, New Jersey 07921

John Doe 2
address unknown

AT&T Mobility Corporation
5565 Glenridge Connector, Suite 1800
Atlanta, Georgia 30342

John Doe 3
address unknown

AT&T Mobility LLC
5565 Glenridge Connector, Suite 1800
Atlanta, Georgia 30342

John Doe 4
address unknown

New Cingular Wireless Services, Inc.
5565 Glenridge Connector, Suite 1800,
Atlanta, Georgia 30342

John Doe 5
address unknown

Cingular Wireless II, LLC
5565 Glenridge Connector, Suite 1800
Atlanta, Georgia 30342

John Doe 6
address unknown

New Cingular Wireless PCS, LLC
5565 Glenridge Connector, Suite 1800
Atlanta, Georgia 30342

John Doe 7
address unknown

BellSouth Mobility DCS, Inc.
5565 Glenridge Connector, Suite 1800
Atlanta, Georgia 30342

John Doe 8
address unknown

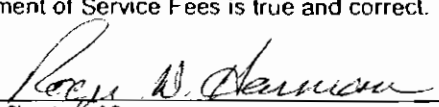
BellSouth Corporation
1155 Peachtree Street, N.E.
Atlanta, Georgia 30309

John Doe 9
address unknown

BellSouth Telecommunications, Inc.
675 West Peachtree Street, N.E., Suite 4500
Atlanta, Georgia 30308

John Doe 10
address unknown

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RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE <u>May 7, 2007 @ 8:51 AM</u>	
NAME OF SERVER (PRINT) <u>Roger D. Harman</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input checked="" type="checkbox"/> Other (specify): <u>delivered to AT&T, Inc. by delivering to its</u> <u>Registered Agent CT Corporation System, 350 N. St. Paul Street</u> <u>Dallas, Texas 75201 by delivering to its Agent for Service</u> <u>Amber Carruth</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>May 7, 2007</u> <small>Date</small>	<div style="text-align: center;">  <small>Signature of Server</small> </div> <div style="text-align: center; margin-top: 10px;"> <u>BEST PROCESS SERVICE</u> <u>PO BOX 17532</u> <u>SAN ANTONIO, TX 78217</u> <small>Address of Server</small> </div>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Affidavit of Process Server

Southern District of New York

U.S. District Court

State of New York

Aerotel, Ltd., et al

Vs AT&T, Inc., et al.

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE # - 07 CV 3217
(UAWPH)

I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action nor interested in the outcome. And that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I delivered to: AT&T, Inc. by and through CT Corporation System, Registered Agent
the Summons & Complaint; Civil Cover Sheet; Individual Practices of Judge William H. Pauley with annexed 3rd Amended Instructions for Filing an Electronic Case or Appeal, Guidelines For Electronic Case Filing, and Procedures for Electronic Case Filing; Plaintiff's Rule 7.1 Statement

by handing to : Amber Carruth
at ☐ Home

RELATIONSHIP -

☒

Bus.

350 N. St. Paul, Dallas, TX 75201

DATE - 5/7/07 TIME - 8:51 AM

Thereafter copies of the documents were mailed by prepaid, first class mail on
from Texas

Manner of Service: Personal ☐ Attorney for Defendant ☐ Registered Agent or Officer of Company ☒

☐ By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof.

☐ By leaving copies at the dwelling house or usual place of abode of the person being served, with a member of the household 18 years or older and explaining the general nature of the papers.

☐ By posting copies in a conspicuous manner to the address of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above. I have been unable to effect process upon the person/entity being served because of the following reason(s):

☐ Unknown at address☐ Address does not exist☐ Moved, left no forwarding☐ Other:☐ Evading☐ Service cancelled by litigant☐ Unable to serve in a timely fashion

Service Attempts:	Date		Time		Date		Time		Date		Time	
Description –	Age	Sex	Race		Height	Weight	Hair		Glasses			

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on

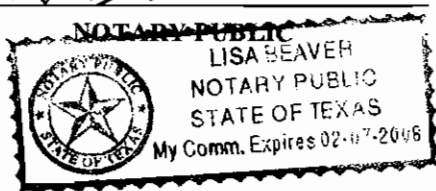
DATE - May 7, 2007CITY - Dallas STATE - TexasState of TEXASCounty of Texas

SIGNATURE OF PROCESS SERVER

Roger D. Harman

Printed Name

Subscribed and sworn before me, a notary public this 7 day of May, 2007.



My Commission expires: